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June 14, 2024

**VIA Email**

Hon. J. Brendan Day, U.S.M.J.  
Clarkson S. Fisher Building  
& U.S. Courthouse  
Court Room: 7E  
402 East State Street  
Trenton, NJ 08608

**Re: McGillvary v. Riez, et al.  
Case No. 3:22-06430-MAS-JBD**

Dear Judge Day:

This office represents Defendant Rahmo Riez in the above-referenced matter. We submit this correspondence in response to Plaintiff's June 12, 2024 letter (ECF No. 54), in which he baselessly accuses this office of misrepresenting to New Jersey State Prison ("NJSP") the nature of the May 30, 2024 conference to "gain a tactical advantage by cutting short Plaintiff's time ...." As demonstrated by the attachments, Plaintiff's assertions are unfounded, and should not be considered by this Court.

Following the Court's entry of the May 9, 2024 Text Order (ECF No. 48) scheduling the telephone status conference on Plaintiff's motions to compel and to issue subpoenas and a scheduling order, this office contacted NJSP to (1) advise the prison of the Court-Ordered conference, and (2) inquire as to what was required by the prison in order to schedule Plaintiff to appear for the conference. We were instructed to submit a letter enclosing the Court Order and were advised by NJSP that because the conference was scheduled for 1:00 p.m., Plaintiff's attendance would be strictly limited to 30 minutes due to prison shift change. We subsequently advised Your Honor's chambers of this limitation, and Chambers advised that Your Honor wished to keep the conference as scheduled at 1:00 p.m.<sup>1</sup>

Pursuant to the prison's instructions, on May 14, 2024 we submitted the enclosed letter to NJSP requesting that Plaintiff be made available for the Court-Ordered conference. Our letter not only unequivocally states that the conference was with the Court, but also enclosed the May 9, 2024 Text Order indicating that the conference was before Your Honor.<sup>2</sup> Moreover, each of our email communications with NJSP relating to the May 30, 2024 conference (copies of which are also enclosed herewith), explicitly stated that the conference call was with the Court. At no point did our office represent to anyone at NJSP that the May 30, 2024 call was with counsel only. Plaintiff's allegations are purely speculative and based on nothing more than an alleged passing conversation with an unnamed corrections officer.

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<sup>1</sup> This information was included in our May 14, 2024 letter to NJSP. See attached.

<sup>2</sup> The Text Order also reflects that a copy of same was sent by the Court to Plaintiff via regular mail.

Plaintiff's assertions are belied by the enclosed communications between this office and NJSP. Accordingly, Plaintiff's letter and accompanying declaration should be disregarded in their entirety.

We thank Your Honor for the Court's time and attention to this matter.

Respectfully submitted,

**NORRIS McLAUGHLIN, P.A.**

/s/ Margaret Raymond Flood  
Margaret Raymond-Flood

Cc: Caleb McGillvary (via Regular Mail)



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8th Floor  
P.O. Box 5933  
Bridgewater, NJ 08807  
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F: 908-722-0755

Direct Dial: 908-252-4303  
Email: mcwells@norris-law.com

May 14, 2024

**VIA Email**

Cherice Hampton  
New Jersey State Prison  
600 Cass Street  
Trenton, NJ 08611

**Re: McGillvary v. Reiz, et al.  
Case No. 3:22-cv-06430-MAS-JBD**

Dear Ms. Hampton:

We represent Defendant Rahmo Reiz in the above-referenced matter filed by Caleb L. McGillvary, SBI #000102317G. As per my telephone conversation with your office, the Court has scheduled a telephonic status conference on May 30, 2024 at 1:00 p.m., which requires Mr. McGillvary's attendance. Enclosed please find the May 9, 2024 Text Order entered by the Court scheduling the conference.

We have set up a conference call. To access the conference line, please dial the following to connect Mr. McGillvary to the conference line:

Call in: 908-722-5700  
Passcode: 14016599#.

In addition, per my conversation with Ms. Greer, I advised the Court of the 30-minute time limit if the call begins at 1:00 p.m., and the Court advised that 30 minutes is sufficient time.

Thank you for your attention to this matter, and please do not hesitate to contact me should you require anything further.

Very truly yours,

**NORRIS McLAUGHLIN, P.A.**

/s/ Matthew C. Wells  
Matthew C. Wells, Esq.

Enclosure

Cc: Kelly Greer (via email w/ enclosure)



**From:** [njdefiling@njd.uscourts.gov](mailto:njdefiling@njd.uscourts.gov) <[njdefiling@njd.uscourts.gov](mailto:njdefiling@njd.uscourts.gov)>

**Sent:** Thursday, May 9, 2024 10:43 AM

**To:** [njdefiling@njd.uscourts.gov](mailto:njdefiling@njd.uscourts.gov)

**Subject:** Activity in Case 3:22-cv-06430-MAS-JBD MCGILLVARY v. RIEZ et al Order

**This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.**

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**U.S. District Court**

**District of New Jersey [LIVE]**

**Notice of Electronic Filing**

The following transaction was entered on 5/9/2024 at 10:42 AM EDT and filed on 5/9/2024

**Case Name:** MCGILLVARY v. RIEZ et al

**Case Number:** [3:22-cv-06430-MAS-JBD](#)

**Filer:**

**Document Number:** 48(No document attached)

**Docket Text:**

**TEXT ORDER:** A telephone status conference will be held on the record before Magistrate Judge J. Brendan Day on May 30, 2024 at 1:00 p.m. to discuss plaintiff's 4/1/24 motion to compel (Dkt. [43]) and motion for an order for subpoenas to issue and for a scheduling order (Dkt. [44]). Counsel for defendant Reiz shall initiate the call. Once all of the parties are on the line, counsel shall conference in Judge Day's Chambers by dialing 1-856-210-8988, Meeting ID: 579 853 627#. On or before 5/15/24, counsel for defendant Reiz shall file via CM/ECF a draft scheduling order, which counsel shall also send to plaintiff directly by U.S. Mail. So Ordered by Magistrate Judge J. Brendan Day on 5/9/2024. (cry)

**3:22-cv-06430-MAS-JBD Notice has been electronically mailed to:**

MARGARET M. RAYMOND-FLOOD [mrflood@norris-law.com](mailto:mrflood@norris-law.com), [NMLitDocket@norris-law.com](mailto:NMLitDocket@norris-law.com),  
[pdonahue@norris-law.com](mailto:pdonahue@norris-law.com)

MATTHEW C WELLS [mcwells@norris-law.com](mailto:mcwells@norris-law.com)

**3:22-cv-06430-MAS-JBD Notice has been sent by regular U.S. Mail:**

CALEB L. MCGILLVARY  
1222665/SBI1023176  
NEW JERSEY STATE PRISON  
PO BOX 861  
TRENTON, NJ 08625

**Matthew C. Wells, Esq.**

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**From:** Hampton, Cherice L [DOC] <Cherice.Hampton@doc.nj.gov>  
**Sent:** Thursday, May 30, 2024 9:46 AM  
**To:** Matthew C. Wells, Esq.  
**Cc:** Margaret Raymond Flood, Esq.; Peggy Donahue; Williams, Kim M [DOC]; Hampton, Cherice L [DOC]  
**Subject:** RE: McGillvary v. Reiz - Court Ordered Telephonic Status Conference - Caleb L. McGillvary, SBI #000102317G

Good morning,

Ms. Greer is out of the office. IP McGillvary is on the schedule today for 1:00pm. Please note that as long as no emergent matters arise within the institution that would interfere with the scheduled call.

Thank you.

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**From:** Matthew C. Wells, Esq. <mcwells@norris-law.com>  
**Sent:** Thursday, May 30, 2024 9:25 AM  
**To:** Greer, Kelly [DOC] <Kelly.Greer@doc.nj.gov>; Hampton, Cherice L [DOC] <Cherice.Hampton@doc.nj.gov>; Williams, Kim M [DOC] <Kim.M.Williams01@doc.nj.gov>  
**Cc:** Margaret Raymond Flood, Esq. <mraymondfflood@norris-law.com>; Peggy Donahue <pdonahue@norris-law.com>  
**Subject:** [EXTERNAL] RE: McGillvary v. Reiz - Court Ordered Telephonic Status Conference - Caleb L. McGillvary, SBI #000102317G

Good morning Ms. Greer,

I am writing to confirm that Mr. McGillvary will be available for the call with the Court as scheduled today at 1 pm.

Thank you,  
Matt

**Matthew C. Wells, Esq.**

t: 908.252.4303 | f: 908.722.0755 | e: [mcwells@norris-law.com](mailto:mcwells@norris-law.com) | [www.norrismclaughlin.com](http://www.norrismclaughlin.com)  
NJ Office: 400 Crossing Blvd | 8th Floor | P.O. Box 5933 | Bridgewater, NJ 08807-5933  
Bridgewater, NJ | New York, NY | Allentown, PA



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**From:** Greer, Kelly [DOC] <[Kelly.Greer@doc.nj.gov](mailto:Kelly.Greer@doc.nj.gov)>

**Sent:** Tuesday, May 14, 2024 9:09 AM

**To:** Matthew C. Wells, Esq. <[mcwells@norris-law.com](mailto:mcwells@norris-law.com)>; Hampton, Cherice L [DOC] <[Cherice.Hampton@doc.nj.gov](mailto:Cherice.Hampton@doc.nj.gov)>; Williams, Kim M [DOC] <[Kim.M.Williams01@doc.nj.gov](mailto:Kim.M.Williams01@doc.nj.gov)>

**Cc:** Margaret Raymond Flood, Esq. <[mraymondflood@norris-law.com](mailto:mraymondflood@norris-law.com)>; Peggy Donahue <[pdonahue@norris-law.com](mailto:pdonahue@norris-law.com)>

**Subject:** RE: McGillvary v. Reiz - Court Ordered Telephonic Status Conference - Caleb L. McGillvary, SBI #000102317G

You're confirmed with a legal call with Caleb McGillvary #102317G on Thursday, May 30, 2024 at 1:00 pm

The dial in number is (609) 292-9700 ext. 4281

Thank you

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**From:** Matthew C. Wells, Esq. <[mcwells@norris-law.com](mailto:mcwells@norris-law.com)>

**Sent:** Tuesday, May 14, 2024 8:36 AM

**To:** Hampton, Cherice L [DOC] <[Cherice.Hampton@doc.nj.gov](mailto:Cherice.Hampton@doc.nj.gov)>

**Cc:** Greer, Kelly [DOC] <[Kelly.Greer@doc.nj.gov](mailto:Kelly.Greer@doc.nj.gov)>; Margaret Raymond Flood, Esq. <[mraymondflood@norris-law.com](mailto:mraymondflood@norris-law.com)>; Peggy Donahue <[pdonahue@norris-law.com](mailto:pdonahue@norris-law.com)>

**Subject:** [EXTERNAL] McGillvary v. Reiz - Court Ordered Telephonic Status Conference - Caleb L. McGillvary, SBI #000102317G

Good morning Ms. Hampton,

This office represents Defendant Rahmo Reiz in the above matter filed by inmate Caleb L. McGillvary, SBI #000102317G. Per my conversation with Ms. Greer last week, please see the attached letter requesting Mr. McGillvary's attendance at a Court Ordered telephonic status conference with the Court on May 30, 2024 at 1:00 p.m. A copy of the Order is enclosed.

Please feel free to reach out should you need anything further.

Best,  
Matt

**Matthew C. Wells, Esq.**

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Bridgewater, NJ | New York, NY | Allentown, PA



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**Matthew C. Wells, Esq.**

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**From:** Matthew C. Wells, Esq.  
**Sent:** Tuesday, May 14, 2024 8:36 AM  
**To:** 'Hampton, Cherice L [DOC]'  
**Cc:** 'kelly.greer@doc.nj.gov'; Margaret Raymond Flood, Esq.; Peggy Donahue  
**Subject:** McGillvary v. Reiz - Court Ordered Telephonic Status Conference - Caleb L. McGillvary, SBI #000102317G  
**Attachments:** 2024-05-14 NM to NJSP re Telephone Conference w\_ the Court (C. McGillvary).PDF

Good morning Ms. Hampton,

This office represents Defendant Rahmo Reiz in the above matter filed by inmate Caleb L. McGillvary, SBI #000102317G. Per my conversation with Ms. Greer last week, please see the attached letter requesting Mr. McGillvary's attendance at a Court Ordered telephonic status conference with the Court on May 30, 2024 at 1:00 p.m. A copy of the Order is enclosed.

Please feel free to reach out should you need anything further.

Best,  
Matt